

I. CALL TO ORDER – PLEDGE TO THE FLAG

The General Business Meeting of the Board of Supervisors of Upper Macungie Township was called to order on February 1, 2024, at 7:30 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were Jeff Fleischaker, Chairman; Sunny Ghai, Vice-Chairman; James M. Brunell, Supervisor; Robert R. Ibach, Jr., Township Manager; Kalman A. Sostarecz, Jr., Assistant Township Manager and Director of Community Development; Andrew V. Schantz, Esq., Solicitor; Pete Nickischer, Lieutenant, UMTPD; Peter Christ, Director, Bureau of Fire; Dave Alban, Township Engineer; Scott Faust, Public Works Director; Bruce Koller, Finance Director; Michelle Souls, Assistant Finance Director; and Mike Kukitz, Recreation Manager.

Chairman Fleischaker opened the meeting and asked all present to join him in reciting the Pledge of Allegiance to the Flag of the United States of America.

II. ADDITIONS/DELETIONS TO THE AGENDA

Mr. Sostarecz stated that item “D” under Resolutions for Docket #2338 – Twin Ponds Mixed-Use Development, 8739 Hamilton Boulevard – Preliminary Land Development has been removed from the agenda as the applicant has requested to be tabled.

III. MINUTES & FINANCIALS

A. *January 2, 2024*

Chairman Fleischaker stated that he would dispense with the reading of the minutes of the previous meeting unless there were any objections.

Motion by Chairman Fleischaker to dispense with the reading of meeting minutes from the Organization Meeting and the General Business Meeting Held on January 2, 2024, and approve as submitted, and authorize the payment of the bills for January 2024 in the amount of \$4,784,950.63. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

IV. PRESENTATIONS

A. *Proclamation – Kathy Rader*

Ms. Rader was presented with a Distinguished Service Award for her more than 38 years of service to the Township and surrounding communities.

DISCUSSIONS & UPDATES

Noise Ordinance

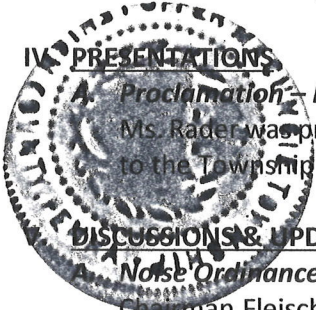
Chairman Fleischaker stated that the Township will be hosting a public workshop to discuss and obtain feedback for the proposed noise ordinance. This Workshop will be held at the Township Building on March 26th, 2024, at 6:30 p.m. He also stated that the proposed language for the Noise Ordinance has been posted on the Township Website for review.

VI. ORDINANCES

A. *Ordinance #2024-02 – Employee Pension Plan*

Mr. Ibach stated that the updates that are being made to the Employee Non-Uniform Pension plan updates the language for average yearly salary per the 2021 agreement. He also mentioned that any changes to pensions must be made through an ordinance.

Motion by Supervisor Brunell to adopt Ordinance #2024-02, authorizing an update to the Township’s Pension Ordinance for compliance with the current approved Collective Bargaining Agreement. Seconded by Chairman Fleischaker. The motion passed unanimously.



B. Ordinance #2024-03 – Police Pension Plan

Mr. Ibach stated that the updates that are being made to the Police Pension Plan are being made to eliminate the officer contribution as was agreed with the current Collective Bargaining Agreement.

Motion by Supervisor Brunell to adopt Ordinance #2024-03, authorizing an update to the Township's Police Pension Ordinance for compliance with the current approved Collective Bargaining Agreement. Seconded by Chairman Fleischaker. The motion passed unanimously.

VII. Resolutions

A. Resolution 2024-06 – Docket #2360 – Valley Pallets – 818 Hickory Road – Conditional Use Request

Mr. Sostarecz stated that a public hearing was held prior to the General Meeting. The applicant has had multiple hearings and has appeared before the Planning Commission that stems back to February 2023. Solicitor Schantz stated that it is the responsibility of the applicant to meet the standards that are set forth for the granting of a conditional use as well as the Township Zoning Ordinance. During the hearings, testimony was heard from the applicant as well as the Township. If the Township believes that the burden has not been met for the approval of the conditional use, the Board may vote to deny the request. An approval may be granted, along with any reasonable conditions, that may be imposed as part of the approval. The Board mentioned that the applicant failed to bring the property into compliance as had previously been requested as well as the plans that were submitted were inadequate. Solicitor Schantz mentioned that the applicant has requested that if the application was to be denied that the Township provide a timeline for him to vacate the property.

Motion by Chairman Fleischaker to deny the Conditional Use Request for Docket 2360 – Valley Pallets - 818 Hickory Road. Seconded by Vice-Chairman Ghai. The motion passed unanimously.

B. Resolution 2024-07 – Inter-Municipal Agreement with Weisenberg Township

Mr. Ibach stated that during the workshops that were held for the 2024 budget, there was a request from Weisenburg Township to have Upper Macungie Township provide commercial fire inspections for their Township. The Township has budgeted for the additional inspector that is needed to supply the assistance for the commercial inspections and Weisenburg Township has agreed to the hourly rate that will be charged by Upper Macungie Township.

Motion by Vice-Chairman Ghai to adopt Resolution #2024-07, authorizing the Township Manager to sign an Inter-Municipal Agreement between Upper Macungie Township and Weisenberg Townships for the purpose of providing a shared Commercial Fire Inspection Program. Seconded by Supervisor Brunell. The motion passed unanimously.

C. Resolution 2024-08 – Docket #2326 – Carriage East Residential Development, 5317 Schantz Road – Final Subdivision & Land Development

Mr. Sostarecz stated that the applicant is proposing to subdivide and develop ten (10) buildable lots for single-family detached dwellings and an extension to the existing Surrey Court to Schantz Road. The applicant had also previously requested four waivers and one deferral that had all been granted on April 6th, 2023. Township Staff and Consultants recommend that Final Subdivision and Land Development be granted.

Motion by Chairman Fleischaker to adopt Resolution #2024-08, granting Final Subdivision & Land Development Plan approval to Docket #2326, Carriage East Residential Subdivision, conditioned upon the Township Engineer's Review Letter dated January 25, 2024, and

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Zoning Officer's Review Letter dated January 19, 2024. Seconded by Supervisor Brunell. The motion passed unanimously.

D. Resolution 2024-09 – Docket #2338 – Twin Ponds Mixed-Use Development, 8739 Hamilton Boulevard – Preliminary Land Development.

Item was removed from the agenda.

VIII. Motions

A. Appointing Cory Reader as Deputy Emergency Management Coordinator

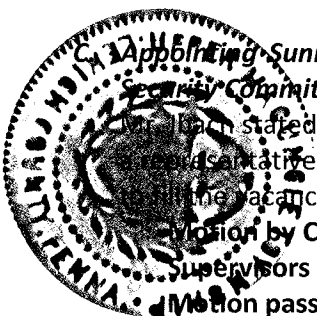
Commissioner Christ stated the Deputy Management Coordinator position was held by Chuck Deprill, who has submitted his resignation. He is requesting that the Board appoint Cory Reader as the new Deputy Emergency Management Coordinator.

Motion by Supervisor Brunell to appoint Cory Reader to the position of Deputy Emergency Management Coordinator for Upper Macungie Township and accepting the resignation of Chuck Deprill. Seconded by Chairman Fleischaker. Motion passes unanimously.

B. Appointing Jeff Fleischaker as a Representative of the Board to the Upper Macungie Township Community Fund Board of Directors

Mr. Ibach stated that there is a vacancy on the Board due the retirement of Kathy Rader, that was the representative of the Board on that committee. It is the decision of the Board to appoint a representative to the Community Fund Board of Directors

Motion by Vice-Chairman Ghai to appoint Jeff Fleischaker as a representative of the Board of Supervisors to the Upper Macungie Township Community Fund Board of Directors. Seconded by Supervisor Brunell. Motion passes unanimously.



C. Appointing Sunny Ghai as a Representative of the Board of Supervisors to the Agricultural Security Committee

Mr. Ibach stated that this vacancy is also a result of the retirement of Kathy Rader that served as representative of the Board on this committee. The Board should appoint a new representative to fill the vacancy that has been left on this Board.

Motion by Chairman Fleischaker to appoint Sunny Ghai as a representative of the Board of Supervisors to the Agricultural Security Committee. Seconded by Supervisor Brunell. Motion passes unanimously.

D. Authorizing the Execution of a Lease with Station 56 and Cetronia Ambulance Corps.

Mr. Ibach stated that the building and property located at 6510 Schantz Road was provided to Station 56 and Cetronia Ambulance Corps for the purpose of housing emergency service equipment to provide fire and emergency services to the residents of the Township. The terms of use and responsibility for the property has not previously been memorialized in a written agreement and this lease will serve as such. All parties have agreed to the terms of the lease.

Motion by Supervisor Brunell to authorize the Township Manager to sign a lease agreement with Upper Macungie Station 56 and Cetronia Ambulance Corps., Inc. establishing the terms for the use of 6510 Schantz Road. Seconded by Vice-Chairman Ghai. Motion passes unanimously.

E. Authorizing Extension of Time Limit for the Recording of Docket #2339 – Air Products Redevelopment & Docket #2358 – Schafer Run/ Waterbury Court

Mr. Sostarecz stated that in accordance with the Township's S.A.L.D.O, the applicant must meet all the Township's conditions and supply a recordable plan, as well as all associated documentation within 120 days of the resolution of approval. The items that are required for the

recording of the plan are nearing completion and the applicants are requesting an extension of the time limits for the plan recording.

Motion by Chairman Fleischaker to authorize the extension from the required time period for the recording of Docket #2339 – Air Products Redevelopment. Seconded by Supervisor Brunell. Motion passes unanimously.

Motion by Chairman Fleischaker to authorize the extension of Docket #2358 – Schafer Run/Waterbury Court for an additional 120 days. Seconded by Supervisor Brunell. Motion passes unanimously.

F. Authorizing Special Events Permit – Winter Fest

Mr. Kukitz stated that the Township will be holding the first Annual Winter Festival at Grange Park on February 10th, 2024 at Grange Park. In an attempt to have items that appeal to all age groups, there is a request to approve Presley’s Cocktail Bar, Vynecrest Winery LLC., and Clover Hill Vineyards & Winery to attend and serve alcoholic beverages at the event. All three vendors will be verifying identification for the sale of these beverages. There will also be plenty of activities for children such as face painters and bounce houses, petting zoos, horse and carriage rides, live music, and the night will end with a lighted drone show.

Motion by Vice-Chairman Ghai to approve Presley’s Cocktail Bar, Vynecrest Winery LLC, and Clover Hill Vineyards & Winery to attend and serve alcohol at the February 10, 2024, Community Winter Festival. Seconded by Chairman Fleischaker. Motion passes unanimously.

IX. BOARD AND STAFF REPORTS

A. Assistant Township Manager

Mr. Sostarecz stated that an Executive Session was held at 5:00 p.m. on February 1, 2024, and the topic was legal matters.



Assistant Engineer
Mr. [Name] provided an update about the incident that was discussed at last month’s meeting on Adams Road and Weiler Road. He has reached out to PennDOT to request that a study be made as well as analyze any possible solutions for the guardrails that are located in that area. The Township is now pending the response from PennDOT.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR

Mr. Sean Gill thanked Kathy Rader for her service to the Township.

Mr. Jeff Kocher and Ms. Susan Jasorka voiced their concerns over the safety concerns on Adams Road due to vehicles speeding on that road. They have requested to increase enforcement and police presence in the area.

Mr. Mark Worth of Lower Saucon Township stated that he has had several close encounters with tractor trailers on old 22 off Adams Road as well and should be monitored.

Mr. Juan Vargas and Lauren Vargas, owners of Nowhere Coffee Co., stated their frustration that they applied for a use application at 1115 Trexlertown Road that has been denied. The request was to have an oven roast coffee beans ten (10) pounds at a time. They were accompanied by several supporters of their business that spoke on their behalf.

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Mr. Marty Hartridge stated that on 222 heading North on Krocks Road there is a sign for a new development, he inquired if when this happens if there will be a stop light installed at the corner of Cetronia and Krocks. Both Mr. Sostarecz and Mr. Alban stated that this is correct and that it is currently under review by PennDOT.

Mr. Mark Messicks mentioned that the addition of streetlights should also be considered where this new development is being proposed for the safety of pedestrians that travel on the stretch of road.

Mr. Nandu Nadu thanked the Township for revisiting the Noise Ordinance and asked if noise ordinances from other municipalities have been researched for the updates that are being proposed for the Township.

Ms. Kathy Rader stated that as a former Township Supervisor she understands that the Township must follow the Municipal Planning Code that dictates how Zoning and Planning decisions have to be followed. She also noted that the Zoning Ordinance is constantly evolving due to the changes that arise on a day-to-day basis.

XI. ADJOURNMENT

There being no other business, **Vice-Chairman Ghai made a motion to adjourn the meeting at 9:07 p.m. Seconded by Supervisor Brunell. The motion passed unanimously.**

Submitted by:

Kalman Sostarecz
Assistant Township Secretary

